

Exhibit 2

State Court Filings – Court of Appeals

Saunders v. Beta Upsilon Chi Fraternity, Inc., No. 2023-000788

RECEIVED

May 12 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

IN THE COURT OF COMMON PLEAS
5th Judicial Circuit

Daniel Coble, Circuit Court Judge

CASE NO.: 2021-CP-40-03542

Logan Saunders,

Appellant,

v.

Beta Upsilon Chi Fraternity, Inc., a/k/a Beta
Upsilon Chi, Michael Vinzani, Graham
Harmon, and Walker Wood,

Respondent(s).¹

NOTICE OF APPEAL

Appellant Logan Saunders, hereby gives his notice of appeal of the order entered by this Court on May 4, 2023, which is attached and further described as follows:

1) Order Granting Defendant Beta Upsilon Chi Fraternity, Inc. Relief from Default.

The undersigned counsel certifies that this appeal is timely filed within 30 days of receipt of notice of the order identified above.

[signature on next page]

¹ Defendant Beta Upsilon Chi Fraternity, Inc., a/k/a Beta Upsilon Chi is the only Respondent.

WESLEY D. FEW, LLC

/s/Wesley D. Few
Wesley D. Few, S.C. Bar No. 15565
Post Office Box 9398
Greenville, South Carolina 29604
(864) 527-5906 | wes@wesleyfew.com

ATTORNEYS FOR APPELLANT

Greenville, South Carolina
May 12, 2023

Counsel of Record for Respondent:

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1320 Main Street 17th Floor
Columbia SC 29201
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Upsilon Chi, Michael Vinzani, Graham
Harmon, and Walker Wood,

Respondents.

PROOF OF SERVICE

On behalf of Appellant Logan Saunders, the undersigned hereby certifies that on May 12, 2023, the **Appellants' Notice of Appeal** was served on all counsel of record and the Richland Clerk of Court and the Court of Appeals Clerk of Court via E-File and/ or Email and / or U.S. Mail and / or Hand-Delivery, as follows:

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals – Clerk of Court
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

Richland County Clerk of Court
1701 Main Street #205
Columbia, SC 29201
(via E-File / NEF)

Matthew A. Abee, Esquire
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1320 Main Street, 17th Floor
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matt.abee@nelsonmullins.com
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Columbia, SC 29201
tyler.walker@nelsonmullins.com
(via E-File / NEF)

ATTORNEYS FOR RESPONDENTS

/s/Cassy Young
Cassy Young

May 12, 2023
Columbia, South Carolina

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

Logan Saunders,

Plaintiff,

vs.

Beta Upsilon Chi Fraternity, Inc., a/k/a Beta
Upsilon Chi, Michael Vinzani, Graham
Harmon, and Walker Wood,

Defendants.

Civil Action No. 2021-CP-40-03542

**Order Granting Defendant Beta Upsilon Chi
Fraternity, Inc. Relief from Default**

Before the Court is the Motion for Relief from Default filed by Defendant Beta Upsilon Chi Fraternity, Inc. (the “Fraternity Corporation”), which made a limited appearance to challenge the Court’s personal jurisdiction under Rules 12(b)(2) and (5), SCRCP, and to seek relief from the default erroneously entered against it under Rule 55, SCRCP. The Fraternity Corporation challenges whether service of process by certified mail was completed on it in Texas, and requests the Court vacate its prior order entering default.

The Court **GRANTS** the motion. It finds and concludes that the record confirms service of process was not perfected on the Fraternity Corporation.¹ As a result, the Court **ORDERS**:

A. That the adjudication of default and entry of default is hereby vacated.

B. As the Fraternity Corporation offered to do in its motion, the Fraternity Corporation shall accept service of process and make a formal appearance in this case. Thereafter, it shall have thirty days to answer or otherwise respond to the Summons and Complaint, retaining all defenses given its limited appearance to date.

IT IS SO ORDERED.

ELECTRONIC SIGNATURE TO FOLLOW

¹ And in any event, the record lacks a sufficient certified mail return receipt for default to be procedurally proper.



Richland Common Pleas

Case Caption: Logan Saunders vs Beta Upsilon Chi Fraternity Inc , defendant, et al

Case Number: 2021CP4003542

Type: Order/Relief

So Ordered

s/ Daniel Coble, 2774

From: [Cassy Young](#)
To: [Court Of Appeals Filings](#)
Cc: [Wes Few](#); [Tyler Walker](#); [Matt Abee](#); [Staff@wesleyfew.com](#)
Subject: 2021-CP-40-03542 (Our File No.: 00272-001)
Date: Friday, May 12, 2023 2:18:04 PM
Attachments: [2023-05-12 Notice of Appeal to be filed.pdf](#)
[2023-05-12 Proof of Service for Notice of Appeal - cqy.pdf](#)

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good afternoon,

Please see attached Notice of Appeal and Proof of Service for same.

Thank you,
Cassy

Cassy G. Young, Paralegal/ Office Manager | Wesley D. Few, LLC | 864-527-5906 | cassy@wesleyfew.com | P.O. Box 9398, Greenville, SC 29604
| www.wesleyfew.com

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The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

May 18, 2023

Mr. Wesley D. Few, Esquire
PO Box 9398
Greenville SC 29604

Re: Logan Saunders v. Beta Upsilon Chi Fraternity, Inc.
Appellate Case No. 2023-000788

Dear Counsel:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review

filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

Logan Saunders, Appellant,

v.

Beta Upsilon Chi Fraternity, Inc., a/k/a Beta Upsilon Chi, Michael Vinzani, Graham Harmon, and Walker Wood, Defendants,

of which Beta Upsilon Chi Fraternity, Inc., a/k/a Beta Upsilon Chi is the Respondent.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

CLERK

cc: Matthew A. Abee, Esquire
Tyler L. Walker, Esquire

From: [Staley, Denesha](#)
To: ["matt.abee@nelsonmullins.com"](#); ["tyler.walker@nelsonmullins.com"](#); ["wes@wesleyfew.com"](#)
Cc: ["kim.smith@nelsonmullins.com"](#); ["cassy@wesleyfew.com"](#)
Subject: Logan Saunders v. Beta Upsilon Chi Fraternity, Inc. 2023-000788
Date: Thursday, May 18, 2023 3:00:00 PM
Attachments: [DS Saunders v. Beta- Initial Letter 05.18.pdf](#)
[DS Saunders v. Beta- Deficiency Letter 05.18.pdf](#)

Good afternoon,

Attached please find correspondence from the South Carolina Court of Appeals. **Please do not respond to this email.** Send all correspondence to ctappfilings@sccourts.org. Any parties not included in this email will receive the attached correspondence via US Mail.

Denesha M. Staley
Appeals Specialist
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201
(803)-734-1079



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
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May 18, 2023

Mr. Wesley D. Few, Esquire
PO Box 9398
Greenville SC 29604

Re: Logan Saunders v. Beta Upsilon Chi Fraternity, Inc.
Appellate Case No. 2023-000788

Dear Counsel:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or this matter will be dismissed:

- The required filing fee has not been submitted. The correct filing fee is \$250.00.

Very truly yours,

CLERK

cc: Matthew A. Abee, Esquire
Tyler L. Walker, Esquire

From: [Staley, Denesha](#)
To: ["matt.abee@nelsonmullins.com"](#); ["tyler.walker@nelsonmullins.com"](#); ["wes@wesleyfew.com"](#)
Cc: ["kim.smith@nelsonmullins.com"](#); ["cassy@wesleyfew.com"](#)
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